



# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

#### System and Method for Updating User Home Automation Systems

	the specification of which (check one)				
	X is attached hereto.				
איים איים איים איים איים איים איים איים	as Application Serial No (if applicable).				
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.					
÷	I acknowledge the duty to disclose information which is material to the papplication in accordance with Title 37, Code of Federal Regulations, §1	•			
1p 1p 1p	I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:				
	Prior Foreign Application(s):	Priority Claimed Yes No			
	(Number) (Country) (Day/Month/Year)				

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:





(Application Serial #)

(Filing Date)

(Status)

DATE: Oct. 24, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John W. Henderson, Jr., Reg. No. 26,907; James H. Barksdale, Jr., Reg. No. 24,091; Thomas E. Tyson, Reg. No. 28,543; Robert M. Carwell, Reg. No. 28,499; Jeffrey S. LaBaw, Reg. No. 31,633; Douglas H. Lefeve, Reg. No. 26,193; Casimer K. Salys, Reg. No. 28,900; David A. Mims, Jr., Reg. No. 32,708; Anthony V. England, Reg. No. 35,129; Volel Emile, Reg. No. 39,969; Leslie A. Van Leeuwen, Reg. No. 42,196; Christopher A. Hughes, Reg. No. 26,914; Edward A. Pennington, Reg. No. 32,588; John E. Hoel, Reg. No. 26,279; Joseph C. Redmond, Jr., Reg. No. 18,753; Marilyn S. Dawkins, Reg. No. 31,140; Joseph T. Van Leeuwen, Reg. No. 44,383.

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FULL NAME OF THIRD INVENTOR:

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INVENTOR'S SIGNATURE:

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Austin, Texas 78727-1400

CITIZENSHIP: USA

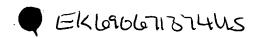
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Docket No. AUS9-2000-0484-US1

### RECORDATION FORM COVER SHEET **PATENTS**

To the Assistant Commissioner of Patents: Please record the attached original documents or copy thereof. 2. Name and address of receiving party(ies) 1. Name of conveying party(ies) International Business Machines Corporation Herman Rodriguez New Orchard Road Newton J. Smith, Jr. Clifford J. Spinac Armonk, New York 10504 3. Nature of Conveyance: X Assignment Execution Date: 4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: B. Patent No.(s) A. Patent Application No.(s) 6. Total number of applications and patents 5. Name and address of party to whom correspondence concerning document involved: 1 should be mailed: 7. Total fee (37 CFR 3.41) \$40.00 David A. Mims, Jr. **IBM** Corporation X Authorized to be charged to deposit account Intellectual Property Law Internal Zip 4054 8. Deposit account number: 11400 Burnet Road Austin, TX 78758 09-0447 (512) 823-0950 DO NOT USE THIS SPACE

9.	Statemen	t and	signa	ture
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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name of Person Signing

Signature

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Total number of pages including cover sheet:

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#### **ASSIGNMENT**

Whereas we,

(1) Herman Rodriguez of Austin County of Travis and State of Texas

and

(2) Newton J. Smith, Jr. of Austin County of Travis and State of Texas

and

(3) Clifford J. Spinac of Austin County of Travis and State of Texas

have invented certain improvement in:

## System and Method for Updating User Home Automation Systems

and executed a United States patent application therefore on

(Date Inventor Signed Declaration) (1) Declaration, 2000; and

(2) 10 26, 2000; and

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefore;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, I, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and I request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in said application to IBM, its successors and assigns; and I hereby agree that IBM may apply for foreign Letters Patent on said invention and I will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

(1) Signed at	austin	on <i>Oct. 26</i> , 2000.
		Herman Rodriguez
(2) Signed at	austin	on 10 26 2000.  Newton J. Smith, Jr.
(3) Signed at	Austin	on 10/26, 2000.  Clifford J. Spinac  Clifford J. Spinac